

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines and Minerals – Transfer of Mining Lease held by M/s.Sree Raja Rajeswari Dolomites for Laterite, Ferrous Shale and Iron Ore (Low Grade) over an extent of 163.482 Hectares in Sy.No.320 of Chabali Village, Pendlimarri Mandal, Y.S.R District in favour of M/s.Benita Industries Limited for the unexpired portion of the lease period upto 09.11.2024 – Permission – Accorded.

INDUSTRIES AND COMMERCE (M-III) DEPARTMENT

G.O. Ms.No. 47

Dated:24.02.2012.

Read the following:-

1. G.O. Ms. No.248, Ind. & Com. (M-III) Dept., dated 27.10.2004.
2. From M/s.Sree Raja Rajeswari Dolomites notarized affidavit, dated 7.12.2011.
3. From M/s..Benita Industries Limited notarized affidavit, dated 7.12.2011 and 19.12.2011.
4. From Director of Mines & Geology, Hyderabad, File No.405/ R5.2/2012, dated 07.02.2012

ORDER:

In the G.O. 1st read above, a Mining Lease was granted for Laterite, Ferruginous Shale, Iron Ore (Low Grade) over an extent of 163.482 Hectares in Sy.No.320 of Chabali Village, Pendlimarri Mandal, Kadapa District for a period of 20 years in favour of M/s.Sree Raja Rajeswari Dolomites. The Mining Lease deed was executed on 10.11.2004 and the lease will be in force upto 9.11.2024.

2. In the reference 4th read above, the Director of Mines & Geology, Hyderabad has stated that, the lessee i.e., M/s.Sree Raja Rajeswari Dolomites vide reference 2nd read above submitted a notarized affidavit stating that, due to financial problems, lack of men and machinery, they have decided to transfer the mining lease for effective development of the mine, held by them for Laterite, Ferruginous Shale, Iron Ore (Low Grade) over an extent of 163.482 Hectares in Sy.No.320 of Chabali Village, Pendlimarri Mandal, Kadapa District in favour of M/s.Benita Industries Limited, and there is no speculation involved in the proposed transfer. Further informed that, they are binding over for outcome of court order, that they (both parties) accepted to pay the payment of arrears which were pending in the court or raised by the Government in future. Further, they have stated that there is no speculation involved in the proposed transfer of Mining Lease.

3. In the reference 3rd read above, the transferee M/s.Benita Industries Limited, submitted a notarized affidavit stating that, there is a BT road passing the lease area. In future they are not going to disturb or damage to the BT road, if any thing occurs they will bind over the responsibility to repair the road/compensate the expenditure and also informed that, in respect of the Cess on MBL they will bind over the final orders whatever issued by the Hon'ble Supreme Court of India, as it is pending. Further, if any other arrears raised by the Government in future, they will hold the responsibility for clearance of the amounts.

4. The Director of Mines and Geology also stated that, the Asst.Director of Mines and Geology, Kadapa reported that he made an enquiry pertaining on speculation if any in transaction and reported that, the transferee informed that, he has paid only actual expenditure incurred in the development of mine and that no evidences were found pertaining to speculation. Both parties i.e., M/s.Sree Raja Rajeswari Dolomites and M/s.Benita Industries Limited were agreed and submitted with notarized affidavits that, they bind over for the out come of court orders and accepted to pay the payment of arrears which were pending in the court or any arrears raised by the Government in future. Further stated that the lessee has to pay an amount of Rs. 2,17,29,750/- towards Cess on M.B.L. However, the Hon'ble Supreme Court of India granted "Stay in the meantime" on the operation of G.O.Ms.No.312, Dt:22.11.2006 which imposes Cess on M.B.L for Iron Ore vide special leave petition with S.L.P. (C) No.3846 of 2006. As per the Inspection Report submitted by the Asst.Director of Mines and Geology, Kadapa, at the time of

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inspection the mine is found working with 150 labourers. During the day of inspection, it is observed that, the lessee is carrying mining operations on opencast method. The representative of the lessee firm has informed that, due to poor finance condition and also due to lack of required mining machinery, they have intended to transfer the mining leased area. The Surveyor of Office of Assistant Director of Mines and Geology, Kadapa surveyed and demarcated the area proposed for transfer to an extent of 163.482 Hectares in Sy.No.320/Part of Chabali Village, Pendlimarri Mandal, Y.S.R.District for which both the transferor and transferee have given their consents for the surveyed and demarcated area i.e., 163.482 Hectares and promised that they will not raise any objection in future for the same and both the transferor and transferee have jointly signed on the above surveyed sketch. The Assistant Director Mines and Geology, Kadapa and Zonal Director of Mines & Geology, Kadapa recommended for transfer of Mining Lease.

5. The Director of Mines & Geology has therefore requested the Government to accord permission under rule 37 of M.C. Rules, 1960 for transfer of Mining Lease held by M/s. Sree Raja Rajeswari Dolomites for Laterite, Ferrous Shale and Iron Ore (Low Grade) over an extent of 163.482 Hectares in Sy.No.320 of Chabali Village, Pendlimarri Mandal, Y.S.R. District in favour of M/s. Benita Industries Limited for the un-expired portion of the lease period i.e., upto 09.11.2024 subject to the provisions of Mines & Minerals (D&R)Act,1957 and M.C.Rules,1960.

6. After careful examination of the proposal, Government under Rule 37 of M.C. Rules, 1960, hereby accord permission for transfer of Mining Lease held by M/s.Sree Raja Rajeswari Dolomites for Laterite, Ferrous Shale and Iron Ore (Low Grade) over an extent of 163.482 Hectares in Sy.No.320 of Chabali Village, Pendlimarri Mandal, Y.S.R. District in favour of M/s.Benita Industries Limited for the un-expired portion of the lease period i.e., upto 09.11.2024 subject to the provisions of Mines & Minerals (D&R) Act, 1957 and M.C. Rules, 1960 and all other applicable rules in the matter.

7. The transfer lease deed should be executed within three months from the date of this order and both the transferor and transferee should pay all mineral revenue dues to the Government till the date of transfer, before execution of the transfer lease deed.

8. The Director of Mines and Geology shall take further necessary action in the matter accordingly, duly satisfying himself that the transferee fulfils the Act & Rules applicable.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.PREM CHAND,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

M/s. Sree Raja Rajeshwari Dolomites, 7/1345, K.P.Road, Proddatur,
Y.S.R. District (BY RPAD)

M/s.Benita Industries Limited, D 203, Aditya Elite,
B.S.Maktha, Somajiguda, Hyderabad – 500092 (BY RPAD)

The Director of Mines and Geology, Hyderabad. [we. File]

Copy to:-

The Zonal Joint Director of Mines & Geology,Y.S.R.District.

The Asst. Director Of Mines and Geology,Kadapa, Y.S.R.District.

The District Collector, Y.S.R. District.

The Secretary to Govt., of India, Ministry of Mines, Shastry Bhavan,
New Delhi-110 001.

The Controller General, Indian Bureau of Mines, "A" Block,
2nd Floor, Indira Bhavan, Civil Lines, Nagpur- 440 001.

The Director General, Mines, Safety, Dhanbad.

The Regional Controller of Mines, Koti, Hyderabad.

SF/SC(C.No.2159/M.III(1)/2012)

"Copy of this order is available on Internet and can be accessed
at address <http://www.ap.gov.in/goir>".

//FORWARDED:: BY ORDER//

SECTION OFFICER